



OFFICE OF THE  
**BOARD OF APPEALS**  
TOWN OF DUNSTABLE  
TOWN HALL  
511 MAIN STREET  
DUNSTABLE, MA 01827-1313

**Accepted  
May 28, 2009**

**Thompson Hearing  
October 23, 2008**

Members Present: Joshua West, Chairperson  
Ted Gaudette, Clerk  
Leo Tometich, Member  
Al Horton, Associate Member  
Lisa O'Connell, Associate Member and Recording Secretary

Members Absent: Alice Ekstrom, Member  
Judy Thompson (present as petitioner)

Petitioners Present: Judy Thompson, 29 Pleasant Street, Dunstable

Others Present: Peter Georges, 493 Main Street, Dunstable

This meeting's intent is to file a decision with the Town Clerk regarding the application submitted by Judy Thompson, owner of 29 Pleasant Street, for relief from the Dunstable Zoning By-laws, Sections 4.2 and 4.3 alteration, reconstruction, extension or structural change of a nonconforming structure or lot.

Josh West called the meeting to order and opened the hearing at 7:30 p.m. Lisa O'Connell read the hearing notice for the record. In lieu of unnecessary introductions and explanation of procedures, Josh West asked the petitioner to present her case.

Judy Thompson said would like to add a 10' X 18' deck to the northwest side of her house that is closest to the Police Department. She stated that the size of the deck has changed since the submission of the application and would not be the original 15' X 18' dimensions. The closest corner of the deck to the side lot line would be 25.5' away. The closest corner of the current structure, the attached barn, to the side lot line is approximately 22 feet.

Josh West asked if there was anyone present to speak for or against the petition.

Peter Georges stated that he was in favor of the petition. The current structure was originally used for several purposes including the Fire Chief's house and office, and other businesses and home occupations. There weren't any problems with the activity of those uses when there were no restrictions on the zoning at the time. He said the property currently looks great and the deck would be an asset to the residence.

Josh West asked for further discussion from the Board. There was none.

Ted Gaudette motioned to vote whether the proposed alterations to the structure would make the property and structure more or not more conforming. Al Horton seconded the motion and all were in favor. The Secretary called the roll:

Josh West – not more nonconforming  
Leo Tometich - not more nonconforming  
Ted Gaudette - not more nonconforming  
Al Horton - not more nonconforming

Josh West called for Lisa O'Connell's vote:

Lisa O'Connell - not more nonconforming

The vote was unanimous that the alterations to the property would not make it more nonconforming.

Leo Tometich motioned to vote whether the proposed alterations would be more detrimental or not more detrimental to the neighborhood. Ted Gaudette seconded the motion and all were in favor. The Secretary called the roll:

Josh West – not more detrimental  
Leo Tometich - not more detrimental  
Ted Gaudette - not more detrimental  
Al Horton - not more detrimental

Josh West called for Lisa O'Connell's vote:

Lisa O'Connell - not more detrimental

The vote was unanimous that the proposed alterations will not be more detrimental to the neighborhood.

Ted Gaudette motioned to vote to grant or deny relief to the petitioner from DZBL sections 4.2 and 4.3. Leo Tometich seconded the motion and all were in favor. The Secretary called the roll:

Josh West – to grant  
Leo Tometich - to grant  
Ted Gaudette - to grant  
Al Horton - to grant

Josh West called for Lisa O'Connell's vote:

Lisa O'Connell - to grant

The vote was unanimous to grant relief to the petitioner from sections 4.2 and 4.3 of the DZBL.

Al Horton motioned to close the hearing and Leo Tometich seconded the motion. All were in favor and the hearing was closed at 7:54 p.m.

Ted Gaudette motioned to adjourn the meeting and Al Horton seconded the motion. All were in favor and the meeting was adjourned at 7:55 p.m.